

PATENT  
Attorney Docket No. 10017862-1  
Express Mail Label No. EV413242531US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|              |   |                  |                    |
|--------------|---|------------------|--------------------|
| Applicant(s) | John A. Morrison, et al.                              | Examiner         | Michael J. Yigdall |
| Serial No.   | 09/998,629  | Group Art No.    | 2122               |
| Filed        | December 3, 2001                                      | Confirmation No. | 7445               |
| For          | System And Method For High Availability Firmware Load |                  |                    |

July 19, 2005

Mail Stop AF  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sir:

Applicant is in receipt of the final rejection mailed May 19, 2005. In response thereto, Applicant requests to amend the claims as follows, and requests that the application be reconsidered in view of the following remarks.

IN THE CLAIMS section begins on page 2 of this response.

REMARKS section begins on page 6 of this response.

07-20-05

PATENT APPLICATION

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ATTORNEY DOCKET NO. 10017862-1

AF/2192

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): John A. Morrison, et al.

Confirmation No.: 7445

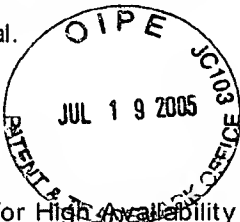
Application No.: 09/998,629

Examiner: Michael Yigdall

Filing Date: Dec. 3, 2001

Group Art Unit: 2192

Title: System And Method For High Availability Firmware Load



Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
(X) No additional fee  
(X) Other: Return Post Card (fee \$                     )

| CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY       |  |                        |  |                         |             |                           |
|--|--|------------------------|--|-------------------------|-------------|---------------------------|
| (1)<br>FOR   | (2)<br>CLAIMS REMAINING<br>AFTER AMENDMENT | (3)<br>NUMBER<br>EXTRA | (4)<br>HIGHEST NUMBER<br>PREVIOUSLY PAID FOR | (5)<br>PRESENT<br>EXTRA | (6)<br>RATE | (7)<br>ADDITIONAL<br>FEES |
| TOTAL<br>CLAIMS                                      | 6  | MINUS                  | 20   | = 0                     | X \$50      | \$ 0                      |
| INDEP.<br>CLAIMS                                     | 2  | MINUS                  | 3  | = 0                     | X \$200     | \$ 0                      |
| [ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM |  |                        |  |                         | + \$360     | \$ 0                      |
| EXTENSION<br>FEE                                     | 1ST MONTH<br>\$120.00                      | 2ND MONTH<br>\$450.00  | 3RD MONTH<br>\$1020.00                       | 4TH MONTH<br>\$1590.00  |             | \$ 0                      |
| OTHER FEES   |  |                        |  |                         |             | \$                        |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT              |  |                        |  |                         |             | \$ 0                      |

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

"Express Mail" label no. EV413242531

Date of Deposit July 19, 2005

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

By

Melissa Smith

Typed Name: **Melissa Smith**

Respectfully submitted,

John A. Morrison, et al.

By

Curtis A. Vock

**Curtis A. Vock**

Attorney/Agent for Applicant(s)

Reg. No. **38,356**

Date: **July 19, 2005**

Telephone No.: **(720) 931-3011**